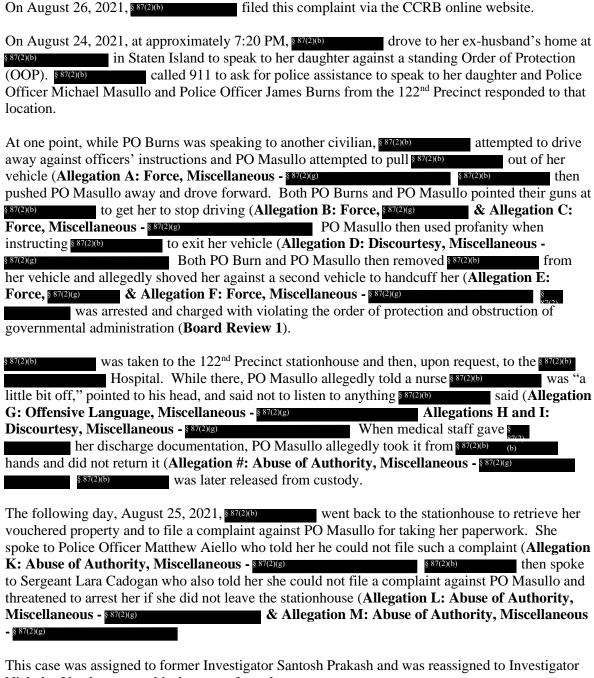
## CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:		Force		Discourt.	П	U.S.
Nicholas Venduras		Squad #16	202105105	$I^{-}$	Abuse	<u></u>	O.L.	П	Injury
Tremonds vendurus		Squau #10	202103103	1	110030		O.L.		injury
Incident Date(s)		Location of Incident:			18 M	Io. SO	OL	I	recinct:
Tuesday, 08/24/2021 7:36 PM, Tuesday, 08/24/2021 10:00 PM, Wednesday, 08/25/2021 12:30 PM		Precinct Stationhouse, and \$87(2)(b) Hospital, 122nd President Stationhouse, and \$87(2)(b)		2/24/2023				122	
Date/Time CV Reported		CV Reported At:	How CV Reported	:	Date/Time	e Rece	eived at CCl	RB	
Thu, 08/26/2021 11:26 PM		CCRB	On-line website		Thu, 08/20	6/202	1 11:26 PM	[	
Complainant/Victim	Туре	Home Addre	ess		•				
Witness(es)		Home Addre	ess						
Subject Officer(s)	Shield	TaxID	Command						
1. POM Michael Masullo	05853	960899	122 PCT						
2. POM James Burns	05584	960295	122 PCT						
3. SGT Lara Cadogan	01403	951995	122 PCT						
4. PO Matthew Aiello	06430	939849	122 PCT						
Witness Officer(s)	Shield N	o Tax No	Cmd Name						
1. POF Raychel Campanellarivera	07754	955780	122 DET						
2. PO Anthony Robles	02651	953324	122 PCT						
3. PO Tiana Guglielmo	08247	957648	122 PCT						
4. PO Ricardo Cuenca	27842	945632	122 PCT						
5. SGT Francis Maurio	01396	953071	122 PCT						
6. SGT Jason Portee	00639	945283	122 PCT						
7. PO Michelle Abraham	01124	960121	122 PCT						
8. PO Andrew Martinez	03742	947217	122 PCT						
9. LT Steven Hecht	00000	938646	122 PCT						
10. CPT Michael Galletta	00000	934894	121 PCT						
Officer(s)	Allegatio	on			Invo	estiga	ator Recon	nme	ndation
A . POM Michael Masullo		n August 24, 2021, at § 8 olice Officer Michael M 57(2)(6)							
B . POM James Burns	Force: O	n August 24, 2021, at §8 olice Officer James Burn	in S ns pointed his gun a						
C . POM Michael Masullo	Force: On Island, Pos 87(2)(b)	n August 24, 2021, at solice Officer Michael M	(asullo pointed his g						

Officer(s)	Allegation	Investigator Recommendation
D . POM Michael Masullo	Discourtesy: On August 24, 2021, at \$87(2)(b) in Staten Island, Police Officer Michael Masullo spoke discourteously to \$887(2)(b)	
E . POM James Burns	Force: On August 24, 2021, at Staten Island, Police Officer James Burns used physical force against Staten	
F . POM Michael Masullo	Force: On August 24, 2021, at [887(2)(6)] in Staten Island, Police Officer Michael Masullo used physical force against [887(2)(6)]	
G . POM Michael Masullo	Off. Language: On August 24, 2021, at the Hospital, Police Officer Michael Masullo made offensive remarks to \$87(2)(b) based on the perceived mental state of	
H . POM Michael Masullo	Discourtesy: On August 24, 2021, at the Hospital, Police Officer Michael Masullo spoke discourteously to	
I . POM Michael Masullo	Discourtesy: On August 24, 2021, at the Hospital, Police Officer Michael Masullo gestured discourteously toward \$\frac{8.87(2)(b)}{8.87(2)(b)}\$	
J . POM Michael Masullo	Abuse: On August 24, 2021, at the SST(2)(b) Hospital, Police Officer Michael Masullo seized property.	
K . PO Matthew Aiello	Abuse: On August 25, 2021, at the 122nd Precinct stationhouse, Police Officer Matthew Aiello did not process complaint regarding an officer.	
L . SGT Lara Cadogan	Abuse: On August 25, 2021, at the 122nd Precinct stationhouse, Sergeant Lara Cadogan did not process complaint regarding an officer.	
M . SGT Lara Cadogan	Abuse: On August 25, 2021, at the 122nd Precinct stationhouse, Sergeant Lara Cadogan threatened to arrest	

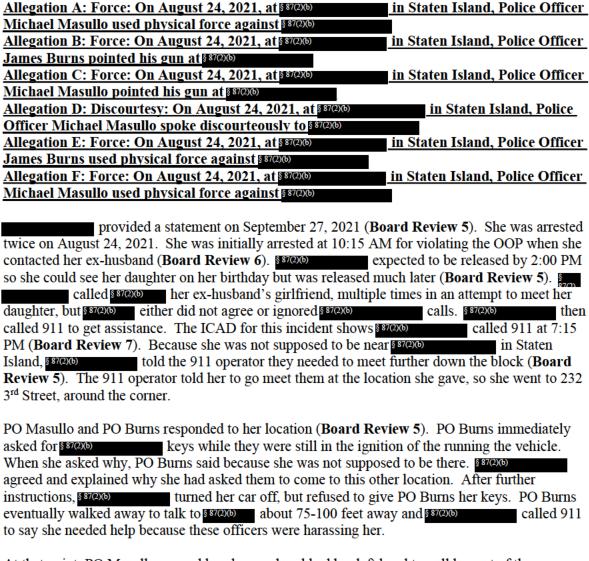
## **Case Summary**



This case was assigned to former Investigator Santosh Prakash and was reassigned to Investigator Nicholas Venduras upon his departure from the agency.

The NYPD Legal Department provided eleven Body-Worn Camera (BWC) videos (**Board Review 2, Board Review 3 & Board Review 4**).

## **Findings and Recommendations**

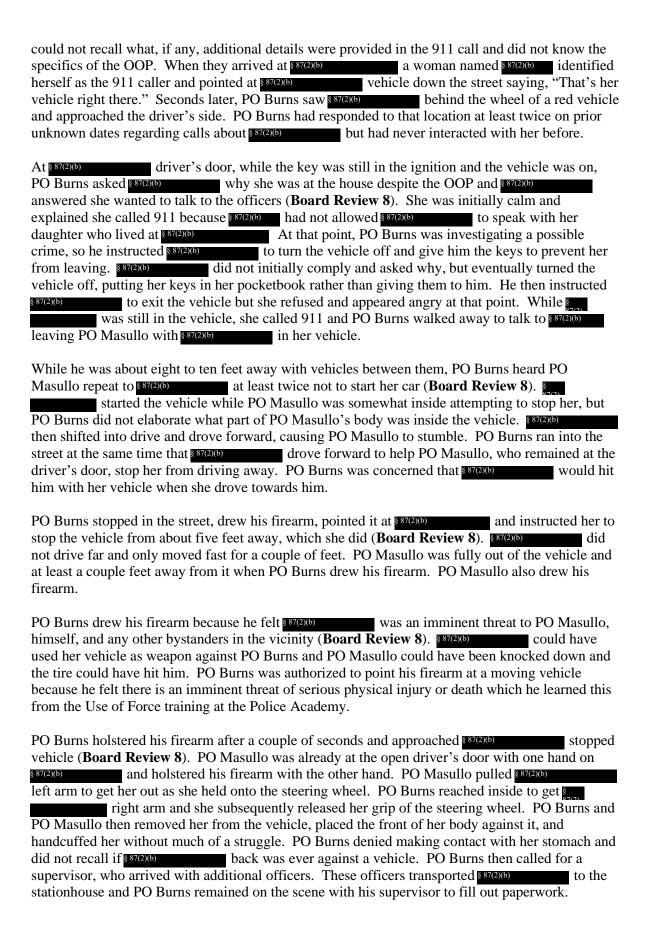


At that point, PO Masullo opened her door and grabbed her left hand to pull her out of the car (Board Review 5). [STODE] retrieved her keys and turned the car on while PO Masullo partially pulled her out. In response, she pushed him away and drove forward at approximately 10-20 miles an hour. PO Masullo held onto her left arm and walked next to the car. After about a minute, he let go and possibly fell to the ground. She continued to drive after about ten seconds, but PO Burns jumped in front of the car about five feet away. He removed his gun and pointed it through the windshield toward her head, telling her to stop. When she did, both officers pulled her out of the car by her upper arm.

She told the officers to stop because they were hurting her but admitted she may have been physically resisting (**Board Review 5**). The officers pushed her so her back made contact with her car before turning her around to rear-cuff her. Later, she saw that she had bruises on her left shoulder and scratches on her right arm. Her stomach also hurt, which she believed may have been from the officers pushing her against the car.

PO Burns provided a statement on January 20, 2022 (**Board Review 8**). On August 24, 2021, at approximately 7:15 PM, PO Burns and PO Masullo received a radio run for an OOP violation. He

Page 2



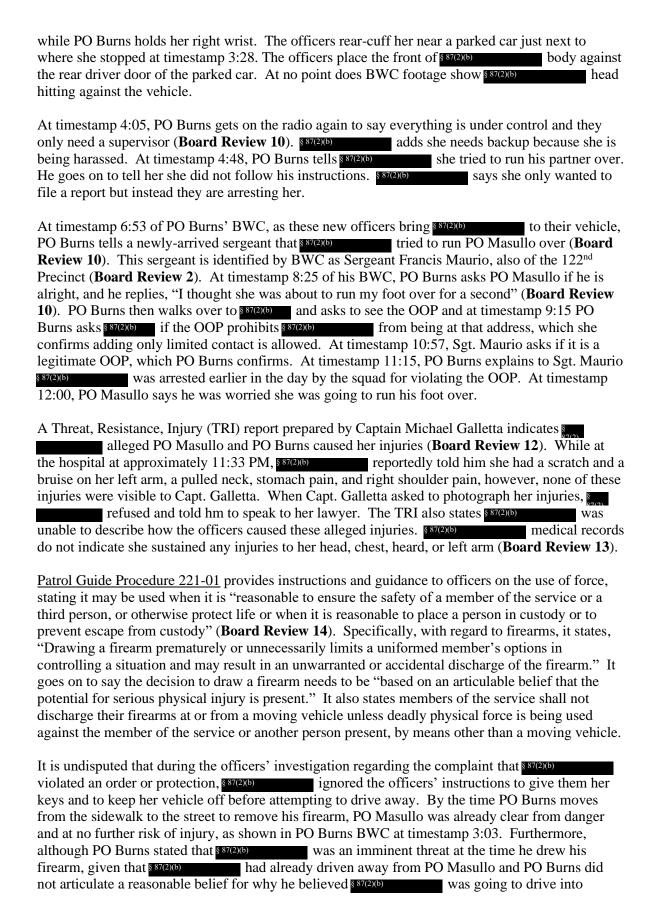
Later, after arriving at the stationhouse, was transported to the hospital because she complained of pain to her arm or leg (**Board Review 8**). PO Masullo transported structures to the hospital and PO Burns had no additional interactions with her after processing her arrest and preparing a Medical Treatment of Prisoner Report.

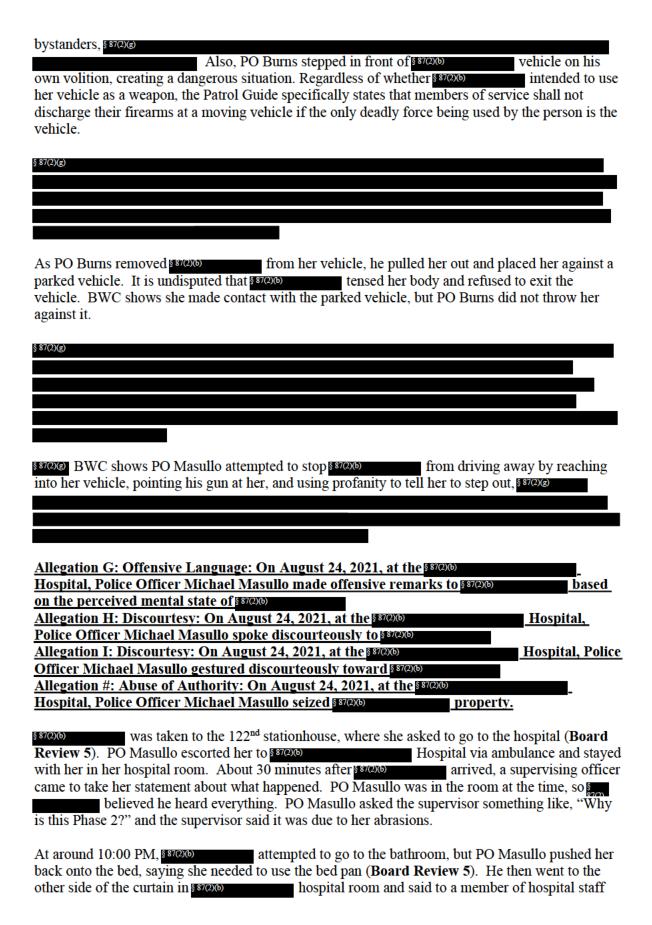
PO Masullo retired from the NYPD on October 22, 2021, and therefore did not provide a statement regarding this case (**Board Review 9**).

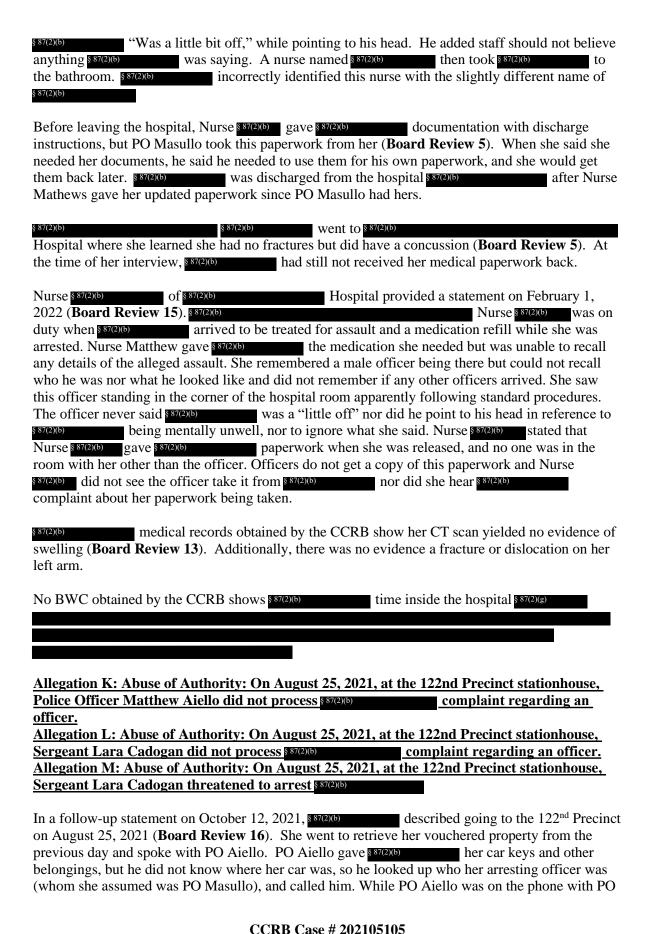
BWC by PO Burns captured this entire incident (Board Review 10). The beginning of the BWC driving up while PO Burns and PO Masullo are in front of the location. When the sound comes on at timestamp 1:00, \$87(2)(b) talks about her daughter's birthday and PO Burns asks if she is supposed to be in front of that address, to which she answers she is not and that is why she wants to speak to officers elsewhere. At timestamp 1:12, PO Burns tells her to turn the car off, which she does, but she refuses to give him the keys as per his instructions. She asks why, adding she will not drive away, and at timestamp 1:30, PO Burns opens her door and instructs her to get out of the car. At timestamp 1:36, \$87(2)(b) puts her keys near the center console saying they are now "hidden." PO Burns repeats his instructions to step out multiple times, but she only asks why and clams she did nothing wrong. PO Burns responds repeatedly because he is telling her to. At timestamp 2:06, § 87(2)(6) acknowledges she is at that address against the OOP, but states she only arrived once officers were there and hopes to speak somewhere else. At calls 911 again and says officers are harassing her. At timestamp 2:26, PO Burns walks towards 887(2)(b) and goes over radio to say the perp is calling again. At timestamp 2:55 when he reaches \$87(2)(6) he asks to see the OOP.

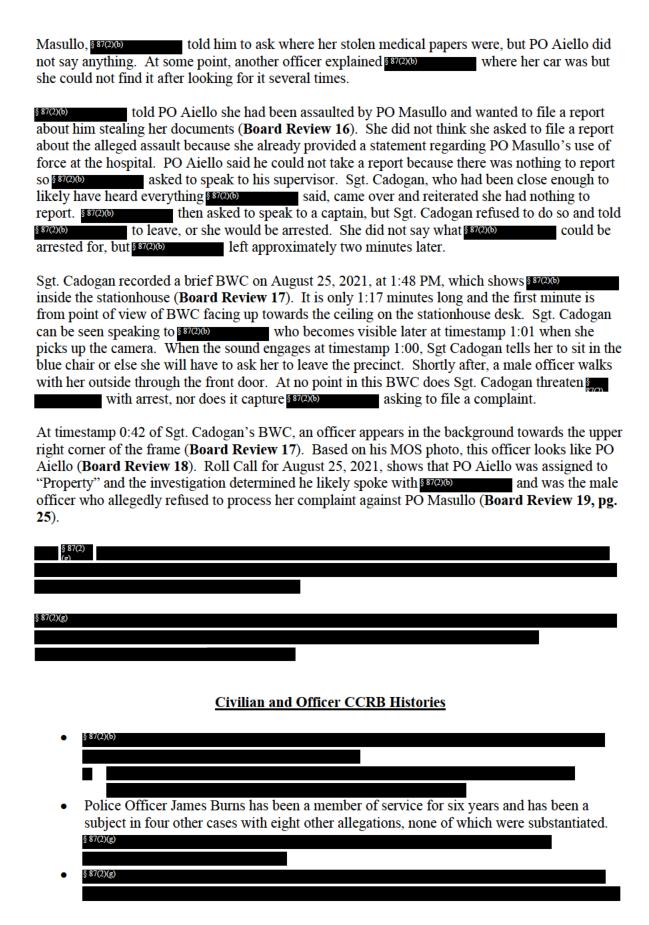
Review 11). At timestamp 2:48, (10) reaches under the passenger seat and gets her keys to put them in the ignition. PO Masullo tells her not to do so, reaches into car, and appears to try to grab her upper left arm and back. At timestamp 2:58, when his camera points towards the ground, PO Masullo's foot is seen parallel to (10) car a few inches away. (10) begins driving away and PO Masullo lets go of her arm, taking a step back so his left foot is forward about six inches away from the back wheel. (10) car a few inches away to drives forward but stops at timestamp 3:00 briefly before driving forward again. When she does so, her driver's door closes, and PO Burns is seen pointing his gun at the front of her car. PO Masullo points his gun from the side of the driver door. At timestamp 3:06, PO Masullo tells (10) car.

From PO Burns' BWC, when he turns towards \$\frac{88(2)(6)}{2}\$ vehicle at timestamp 3:00, her front lights are on, and the vehicle begins to move forward (**Board Review 10**). At that point, PO Burns runs over from the sidewalk to the street, gets in front of her vehicle at a slight angle to the right, and points his gun at it from about ten to fifteen feet away telling \$\frac{82(2)(6)}{2}\$ to stop, which she does at timestamp 3:03. Initially the driver's door was open, but the momentum of the moving vehicle causes the door to close on its own. At timestamp 3:04, PO draws and points his firearm before stepping towards the driver's door. Both officers use loud voices to tell to stop the car and get out. PO Masullo opens her door at timestamp 3:08 and PO Burns appears to holster his gun at timestamp 3:11. As PO Masullo tries to pull her out of the driver seat from her left wrist, she appears to tense her body and grab onto the steering wheel with her right hand. PO Burns goes over the radio and asks for "a boss" at timestamp 3:15 and at timestamp 3:18 he grabs her right wrist and moves it away from the steering wheel. Both officers then pull out of the vehicle. Once she is out, she stumbles for about two steps while the officers keep hold of her. PO Masullo pushes her neck down from the back at timestamp 3:20









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	<u>Mediation</u>	ı, Civil and Criminal Histories	
• This co	se was not suitable for me	diation	
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		2022, the NYC Office of the Compt	
		were located for this incident. (B	
	§§ 86(1)(3)&(4)] [§ 87(2)(c)]	(2	
Squad: 16			
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Investigator:	Nick Venduras	Inv. Nicholas Venduras	11/17/2022
mvestigator.	Signature	Print Title & Name	Date
	C		
Sanad Leader	Patrick Yu	IM Patrick Yu	11/25/2022
oquad Deader.	Signature	Print Title & Name	Date
	-		
Reviewer:			
	Signature	Print Title & Name	Date